

Basel Convention Country Fact Sheet

Japan

Status of Ratifications:

Party to the Basel Convention: 17.09.1993 (a)
Amendment to the Basel Convention: -
Basel protocol on Liability and Compensation: -
(Accession (a); Acceptance (A); Approval (AA); Formal confirmation (c); Ratification; Succession (d))

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National Definition

National definition of waste used for the purpose of transboundary movements of waste exists in Japan.
Two national legislations regulate transboundary movement of waste (in broad sense) in Japan. One is the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (hereinafter "Basel Law"). The other is the Waste Management and Public Cleansing Law (hereinafter "Waste Management Law"). The two legislations define waste in different ways, and control transboundary movement of waste independently.
Definition of "waste" under the Basel Law is exactly same as that under the Basel Convention. On the other hand, the Waste Management Law defines "waste" as "refuse, bulky refuse, ashes, sludge, excreta, waste oil, waste acid and alkali, carcasses and other filthy and unnecessary matter, which are in solid or liquid state (excluding radioactive waste and waste polluted by radioactivity)". If a cargo is "waste" under the Waste Management Law and "hazardous waste" under the Basel Convention, the cargo is subject to both laws independently.

National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Japan.
Hazardous wastes defined by the Basel Law are as follows:

A. The following materials which are exported or imported for the

disposal operations listed in Annex IV of the Basel Convention.

1. Materials listed in Annex I of the Convention and having one or more hazardous characteristics listed in Annex III of the Convention;
2. Materials listed in Annex II of the Convention;
3. Materials to be notified to the Secretariat of the Convention by the Government of Japan through the designation by the Cabinet Order in accordance with Section 1 or 2 of Article 3 of the Convention; and
4. Materials informed by the Secretariat of the Convention in accordance with Section 3 of Article 3 of the Convention.

B. Materials, exportation, importation, transportation (including storage) and disposal of which must be regulated based on bilateral, multilateral or regional agreements or arrangements defined in Article 11 of the Convention.

(The Waste Management Law also defines hazardous waste as “Special Control Waste (hereinafter SCW)” independently, but import/export regulations under the Waste Management Law do not differ between SCW and non-SCW.)

There are no wastes defined as, or considered to be hazardous wastes by national legislation in accordance with Art. 1, para 1(b) of the Basel Convention.

Japan regulates/controls only wastes included in Art.1 (1)a of the Basel Convention for the purpose of transboundary movements of hazardous wastes under the Basel Convention.

Japan requires special consideration for the following waste(s) when subjected to transboundary movement:

Any person who intends to import waste (excluding navigational wastes and carried-in wastes) shall procure the permission of the Minister of the Environment. Any person who intends to export domestic or industrial wastes (excluding valuable material) must obtain the confirmation of the Minister of the Environment that the export of domestic wastes comes under the respective items in the following:

- The wastes to be exported are deemed difficult to be treated properly in Japan in the light of the available treatment and technique; and
- The wastes to be exported will be recycled in the country to which they are exported.

Restrictions on Transboundary Movement

Amendment to the Basel Convention

The amendment to the Basel Convention (Decision III/1) has not been implemented in Japan.

Restrictions on export for final disposal

Japan restricts the export of hazardous wastes and other wastes for final disposal.

The Waste Management Law (originally enacted in 1970) was amended

and put into force to regulated import and export of waste in 1993.
The Basel Law was entered into force in 1993.

All countries and regions.

Basel Law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Export of wastes for final disposal (Annex IV A) is prohibited.

Restrictions on export for recovery

Japan restricts the export of hazardous wastes and other wastes for recovery.

The Waste Management Law, the Basel Law, and OECD Council Decision C(2001)107 (in the case of OECD member countries).

All countries and regions.

Basel law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Without the confirmation of the Minister of the Environment, any person cannot export wastes for recovery.

Restrictions on import for final disposal

Japan restricts the import of hazardous wastes and other wastes for final disposal. The Waste Management Law and Basel Law.

All countries and regions.

Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for final disposal.

Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import

permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Restrictions on import for recovery

Japan restricts the import of hazardous wastes and other wastes for recovery.

The Waste Management Law, Basel Law, and OECD Council Decision C(2001)107 (in the case of transboundary movement with OECD member countries).

All countries and regions.

Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for recovery.

Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Restrictions on transit

Japan has no restrictions on the transit of hazardous wastes and other wastes.

**Reduction
and/or
Elimination of
Hazardous
Waste
Generation**

National strategies/policies

Government of Japan established the Basic Environment Plan in 1994, and it was amended in 2000. At the same time, the Basic Law for Establishing a Sound Material-Cycle Society was enacted. The Basic Law aims to promote sound cyclical use and disposal of waste and the like, and prioritize the following actions in order of number: (1) restricting generation, (2) reuse, (3) recycling, (4) heat recovery, and (5) the correct disposal of waste and the like.

A new socioeconomic system needs to be created where responsibilities and costs on waste treatment and recycling are shared among industries, consumers, local governments and the national government as necessary. In such system, there should be incentives to reduce waste generation and recycle at each stage of product development, manufacturing, import, distribution, consumption, collection and recovery.

Legislation, regulations and guidelines

"Waste Management and Public Cleansing Law", "Law for Promotion of Effective Utilization of Resources", "Container and Packaging Recycling Law", "Electric Household Appliance Recycling Law" etc.

Economic instruments/ initiatives

Policy financing for establishment of treatment facilities; and preferential tax treatment.

Measures taken by industries/waste generators

Under the Voluntary Action Plan on the Environment adopted by the Keidanren (Japan Federation of Economic Organization), measures are taken on promoting recycling and limiting the discharge of wastes.

Others

**Transboundary
Movement
Reduction
Measures**

National strategies/policies

The Government of Japan shall restrict the generation of hazardous wastes to a minimum, promote the effective use and appropriate disposal within the country and implement other measures in an effort to minimize the export and import of specified hazardous wastes.

Legislation, regulations and guidelines

"Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (Basel Law)" and "Waste Management and Public Cleansing Law"

Economic instruments/ initiatives

None.

Measures taken by industries/waste generators

Not known.

Others

**Disposal/
Recovery
Facilities**

Disposal facilities

- ; ;
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At April 1, 2007, the number of final disposal facilities (landfill sites) authorized by governors is 2,295. Individual list is not available.

Recovery/recycling/re-use facilities

- ; ;
-

At April 1, 2007, the number of treatment facilities authorized by governors is 19,076. Individual list is not available.

**Bilateral,
Multilateral or**

- Multilateral; OECD Member Countries; 12.1996 -; OECD Decision C(92)39/FINAL on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations (30 March 1992).

Regional Agreements

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Technical Assistance and Training Available

- Ministry of the Environment
- Ministry of Economy, Trade and Industry
- Japan International Cooperation Agency (JICA)
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JICA holds seminar on comprehensive waste management periodically.

Data on the Generation and Transboundary Movements of Hazardous Wastes and Other wastes in 2009 (as reported)		Quantities (in metric tons)
Generation	Amount of hazardous wastes generated under Art. 1(1)a (Annex I: Y1-Y45) of BC	
	Amount of hazardous wastes generated under Art. 1(1)b of BC	
	<i>Total amount of hazardous wastes generated</i>	
	Amount of other wastes generated (Annex II: Y46-Y47)	
Export	Amount of hazardous wastes exported	81358
	Amount of other wastes exported	
Import	Amount of hazardous wastes imported	2847
	Amount of other wastes imported	

Sample